

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

10	TERRY KUAN GONG,)	1:11cv02044 AWI DLB
11		}	
12	Plaintiff,)	ORDER DENYING MOTIONS
13)	(Document 20)
14	vs.)	ORDER STRIKING "WITNESS
15	LEON PENATTA, et al.,)	DECLARATION"
16	Defendants.)	(Document 21)

17 On December 12, 2011, Plaintiff Terry Kuan Gong, appearing pro se, filed this employment
18 discrimination action under Title VII of the Civil Rights Act of 1964, the Americans with
19 Disabilities Act and the Age Discrimination in Employment Act. Plaintiff paid the filing fee and the
20 Clerk issued summonses on December 15, 2011.
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22 On January 17, 2012, Plaintiff filed numerous motions related to discovery. The Court
23 denied the motions on January 24, 2012, explaining:

24 Discovery is premature at this time, however, as there is no evidence of service. If
25 and when Defendants are served, Plaintiff will work directly with Defendants to obtain
26 discovery. Court permission is not necessary for discovery requests. Discovery is
27 self-executing until such time as a party becomes dissatisfied with a response and seeks relief
28 from the Court pursuant to the Federal Rules of Civil Procedure. Interrogatories, requests for
admissions, requests for production of documents, and responses thereto shall not be filed
with the Court until there is a proceeding in which the document or proof of service is at

1 issue. Such documents are to be served on the opposing party, and not with the Court.
2 Discovery requests improperly filed with the Court shall be stricken from the record.

3 On January 30, 2012, Plaintiff filed another “Motion in Limine” requesting that numerous
4 documents “be accepted into evidence.” It is likely that Plaintiff filed this motion before receiving
5 the Court’s order on the prior motions. In any event, the motion is DENIED for the same reasons as
6 set forth above.

7 Also on January 30, 2012, Plaintiff filed a “Witness Declaration.” The declaration is
8 unnecessary and need not be filed with the Court. Accordingly, Document 21 is STRICKEN.

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10 IT IS SO ORDERED.

11 Dated: February 1, 2012

12 /s/ Dennis L. Beck
13 UNITED STATES MAGISTRATE JUDGE

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